

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK----- X
JOSHUA GUMORA,

Plaintiff,

-v-

COVINGTON, et al.,

Defendants.
----- X

24-CV-6550 (JAV) (HJR)

ORDER ADOPTING
REPORT AND
RECOMMENDATION

JEANNETTE A. VARGAS, United States District Judge:

This matter has been referred to Magistrate Judge Henry J. Ricardo for general pretrial supervision and Report and Recommendations on any dispositive motions. *See* ECF No. 7. On June 23, 2025, Magistrate Judge Ricardo issued a Report and Recommendation recommending that this matter be dismissed without prejudice for failure to comply with Standing Order M10-468 and failure to prosecute. *See* ECF No. 44.

In reviewing a Report and Recommendation, a district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). A district court “must determine *de novo* any part of the magistrate judge’s disposition that has been properly objected to.” Fed. R. Civ. P. 72(b)(3); *see also United States v. Male Juvenile*, 121 F.3d 34, 38 (2d Cir. 1997). Conclusory or general objections that merely refer the district court to previously filed papers or arguments do not constitute proper objections under Rule 72(b). *Miller v. Brightstar Asia, Ltd.*, 43 F.4th 112, 120 (2d Cir. 2022). To accept those portions of the report to which no timely or proper objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record. *See id.* at 120 & n.4.

In the present case, the Report and Recommendation advised the parties that they had fourteen days from service of the Report and Recommendation to file any objections, and warned that failure to timely file such objections would result in waiver of any right to object. *See* ECF No. 44. In addition, the Report and Recommendation expressly called Plaintiff's attention to Rule 72 of the Federal Rules of Civil Procedure and 28 U.S.C. § 636(b)(1). Nevertheless, as of the date of this Order, no objections have been filed and no request for an extension of time to object has been made. Accordingly, Plaintiff has waived the right to object to the Report and Recommendation or to obtain appellate review. *See Miller*, 43 F.4th at 120.

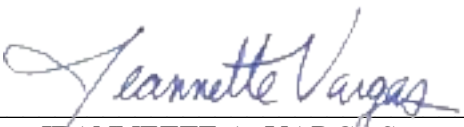
Despite the waiver, the Court has reviewed the docket and the Report and Recommendation, unguided by objections, and finds the Report and Recommendation to be well reasoned. In particular, the Magistrate Judge issued two separate orders warning Plaintiff of the consequences of a failure to provide an updated address to the Court, including the potential dismissal of his case. The docket reflects that Plaintiff did not respond. Accordingly, the Report and Recommendation is ADOPTED in its entirety.

This Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this Order would not be taken in good faith, and *in forma pauperis* status is thus denied. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to terminate all pending motions and close the case.

SO ORDERED.

Dated: July 29, 2025
New York, New York


JEANNETTE A. VARGAS
United States District Judge